

BEFORE THE
BOARD OF MEDICAL EXAMINERS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation)	
Against:)	CASE
LESLIE L. COLEY)	NO. D-1508
8749 Lake Murray Boulevard)	L-6285
San Diego, California 92119)	
Certificate No. A-22658,)	
Respondent.)	

DECISION

This matter came on regularly for hearing before District Review Committee IV, Milford A. Maron, Hearing Officer of the Office of Administrative Hearings, presiding, at San Diego, California, on November 14, 1974, at the hour of 9:00 a.m. The complainant was represented by Jeffrey T. Miller, Deputy Attorney General. The respondent was present and represented by Frank Pomeranz, Esq. Evidence both oral and documentary was introduced and the matter was submitted, and the District Review Committee IV issued its proposed decision on November 25, 1974. The Board of Medical Examiners issued its Notice and Order of Non-Adoption on July 23, 1975. The Board of Medical Examiners makes the following findings of fact:

I

Raymond Reid made the Accusation in his official capacity as the Executive Secretary of the Board of Medical Examiners of the State of California.

II

Respondent, Leslie L. Coley, M.D., was heretofore issued physician's and surgeon's certificate by the State Board, and at all times herein mentioned respondent was and now is licensed to practice medicine and surgery in the State of California.

III

It was stipulated between the parties and is found to be true as follows:

A. Between approximately December of 1972, and May, 1973, respondent used, prescribed for, and administered to himself, the narcotic cocaine^{1/} in such a manner as to be dangerous or injurious to himself and to such an extent that it impaired his ability to conduct with safety to the public the practice authorized by his physician's and surgeon's certificate.

B. On or about March 10, 1973, respondent wrote a prescription for Cocaine solution, 10 percent, in the name of patient Judy C[REDACTED]. Respondent caused said prescription to be filled at the Ferris & Ferris Pharmacy, 522 Market Street, San Diego, California. Said narcotic was in fact intended for respondent's own use rather than for the use of patient Judy C[REDACTED].

C. On or about March 10, 1973, respondent wrote a prescription for Cocaine solution, 10 percent, in the name of patient Perrie P[REDACTED]. Respondent caused said prescription to be filled at St. Bernardines Hospital Pharmacy, 2101 N. Waterman, San Bernardino, California. Said narcotic was in fact intended for respondent's own use rather than for the use of patient Perrie P[REDACTED].

D. On or about April 12, 1973, respondent wrote a prescription for Cocaine solution, 10 percent, in the name of patient Judith C[REDACTED]. Respondent caused said prescription to be filled at Hoag Hospital Pharmacy, Newport Beach, California. Said narcotic was in fact intended for respondent's own use rather than for the use of Judith C[REDACTED].

IV

Respondent testified in his own behalf that at the time of the occurrence of the events found to be true above that he was suffering unusual traumas relative to difficulties in his marriage, as well as his religious and moral concepts vis-a-vis the practice of medicine. These traumas have been greatly reduced or fully removed, and respondent would not now be considered a hazard to the general public if he were permitted continued licensure subject to the aforementioned protective conditions.

^{1/} Cocaine is a narcotic by definition of Section 11011 of the Health and Safety Code.

* * * * *

Pursuant to the foregoing findings of fact, the Board of Medical Examiners makes the following determination of issues:

Cause for disciplinary action was established pursuant to Sections 2360 and 2361 of the Business and Professions Code, in that respondent is guilty of unprofessional conduct by virtue of having violated Sections 2390 and 2391.5 of the Business and Professions Code and Sections 11165, 11167, 11170(1) and 11170(2) of the Health and Safety Code.

* * * * *

WHEREFORE, THE FOLLOWING ORDER is hereby made:

The physician's and surgeon's certificate No. A-22658, heretofore issued to respondent, Leslie L. Coley, M.D., is hereby revoked; provided, however, that respondent may resume the practice of medicine in accordance with the following terms and conditions;

1. Respondent shall be examined by a psychiatrist priorly approved by the Board and respondent shall resume the practice of medicine, if and only if (a) said psychiatrist reports to the Board that respondent is capable of practicing medicine, and (b) said report is approved by the Board, and (c) respondent is notified in writing of such approval, thereby giving respondent the right to resume practice.

Upon the resumption of practice as aforesaid, respondent shall be on probation for a period of five (5) years on the following terms and conditions of probation;

2. Respondent shall commence psychotherapy and remain under the supervision and direction of a psychiatrist approved by the Board, and shall continue treatment until discontinuance shall be approved by the Board, and while respondent is under the care of said psychiatrist, respondent shall provide that said psychiatrist shall render quarterly reports to the Board of Medical Examiners at its Sacramento office as to the progress of respondent.

3. Respondent shall comply with all laws of the United States and of the State of California and its political subdivisions, and all rules and regulations of the Board of Medical Examiners of the State of California;

4. Respondent's privileges pursuant to Drug Enforcement Administration shall be restricted to prescribing only those drugs listed in Schedule 4 and Schedule 5 of sections 11057 and 11058, respectively, of the Health and Safety Code; provided, however, that respondent may prescribe Schedules 2 through 5 in a hospital;

5. Respondent shall fully and completely comply with the Probation Surveillance Program and cooperate with

any agent of the Board operating thereunder, including but not limited to the producing of any appropriate sample necessary for drug detection or drug treatment analysis.

6. Respondent shall submit to the Board, at quarterly intervals, an affidavit that he has fully and faithfully complied with all the terms and conditions of probation imposed by this order, to begin ninety (90) days after its effective date.

7. Respondent shall report in person to the Board annually at the times and places to be designated by the Executive Secretary of the Board. It shall be the responsibility of respondent to request of the Executive Secretary such available times and places.

Upon full compliance with the terms and conditions herein set forth and upon the expiration of the terms of probation, the certificate of respondent to practice medicine and surgery shall be restored to its full privileges; provided, however, that in the event that respondent violates or fails to comply with any of the terms and conditions of this order, the Board of Medical Examiners after notice to respondent and an opportunity to be heard may terminate said probation and revoke said certificate effective immediately or make such other order modifying or changing the terms of probation herein as it deems just and reasonable in its discretion.

SO ORDERED by the Board of Medical Examiners on October 17, 1975.

This Decision shall become effective on the 11th day of December, 1975.

BOARD OF MEDICAL EXAMINERS
OF THE STATE OF CALIFORNIA

By 

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF CALIFORNIA

In the Matter of the Accusation
Against:

LESLIE L. COLEY, M.D.
Certificate No. A-22658,

Respondent.

Case No. D-1508

L-6285

NOTICE OF NON-ADOPTION OF PROPOSED DECISION

(Pursuant to Section 11517 of the Government Code)

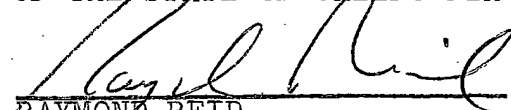
TO THE RESPONDENT ABOVE NAMED:

YOU ARE HEREBY NOTIFIED that the Board of Medical
Examiners of the State of California has decided not to adopt
the attached proposed decision, filed herein by the duly
assigned District Review Committee, and dated November 25, 1974.
You are also notified that the Board of Medical Examiners will
decide the case upon the record, including the transcript and
without the taking of additional evidence. You are hereby
afforded the opportunity to present written argument to the
Board of Medical Examiners if you so desire to do so, by filing
such written argument with the Board at its office at 1020 N
Street, Room 434, Sacramento, California 95814, and the same
opportunity is afforded the Attorney General of the State of
California.

You will be notified of the date for submission of such
written arguments when the transcript of the administrative
hearing becomes available.

DATED: July 23, 1975

BOARD OF MEDICAL EXAMINERS
OF THE STATE OF CALIFORNIA


RAYMOND REID
Executive Secretary

BEFORE THE BOARD OF MEDICAL EXAMINERS
DEPARTMENT OF CONSUMER AFFAIRS
OF THE STATE OF CALIFORNIA

In the Matter of the Accusation
Against:

LESLIE L. COLEY
8749 Lake Murray Boulevard
San Diego, California 92119
Certificate No. A-22658,

Respondent.

Case No. D-1508

L-6285

PROPOSED DECISION

This matter came on regularly for hearing before District Review Committee IV, Milford A. Maron, Hearing Officer of the Office of Administrative Hearings, presiding, at San Diego, California, on November 14, 1974, at the hour of 9:00 a.m. The complainant was represented by Jeffrey T. Miller, Deputy Attorney General. The respondent was present and represented by Frank Pomeranz, Esq. Evidence both oral and documentary was introduced and the matter submitted, District Review Committee IV makes the following findings of fact:

I

Raymond Reid made the Accusation in his official capacity as the Executive Secretary of the Board of Medical Examiners of the State of California.

III

Respondent, Leslie L. Coley, M.D., was heretofore issued physician's and surgeon's certificate by the State Board, and at all times herein mentioned respondent was and now is licensed to practice medicine and surgery in the State of California.

II

It was stipulated between the parties and is found to be

true as follows:

A. Between approximately December of 1972, and May, 1973, respondent used, prescribed for, and administered to himself, the narcotic cocaine^{1/} in such a manner as to be dangerous or injurious to himself and to such an extent that it impaired his ability to conduct with safety to the public the practice authorized by his physician's and surgeon's certificate.

B. On or about March 10, 1973, respondent wrote a prescription for Cocaine solution, 10 percent, in the name of patient Judy C [REDACTED]. Respondent caused said prescription to be filled at the Ferris & Ferris Pharmacy, 522 Market Street, San Diego, California. Said narcotic was in fact intended for respondent's own use rather than for the use of patient Judy C [REDACTED].

C. On or about March 10, 1973, respondent wrote a prescription for Cocaine solution, 10 percent, in the name of patient Perrie P [REDACTED]. Respondent caused said prescription to be filled at St. Bernardines Hospital Pharmacy, 2101 N. Waterman, San Bernardino, California. Said narcotic was in fact intended for respondent's own use rather than for the use of patient Perrie P [REDACTED].

D. On or about April 12, 1973, respondent wrote a prescription for Cocaine solution, 10 percent, in the name of patient Judith C [REDACTED]. Respondent caused said prescription to be filled at Hoag Hospital Pharmacy, Newport Beach, California. Said narcotic was in fact intended for respondent's own use rather than for the use of Judith C [REDACTED].

^{1/} Cocaine is a narcotic by definition of Section 11011 of the Health and Safety Code.

IV

Respondent testified in his own behalf that at the time of the occurrence of the events found to be true above, that he was suffering unusual traumas relative to difficulties in his marriage, as well as his religious and moral concepts vis-a-vis the practice of medicine. These traumas have been greatly reduced or fully removed, and respondent would not now be considered a hazard to the general public if he were permitted continued licensure subject to the aforementioned protective conditions.

* * * * *

Pursuant to the foregoing findings of fact, District Review Committee IV makes the following determination of issues:

Cause for disciplinary action was established pursuant to Sections 2360 and 2361 of the Business and Professions Code, in that respondent is guilty of unprofessional conduct by virtue of having violated Sections 2390 and 2391.5 of the Business and Professions Code and Sections 11165, 11167, 11170(1) and 11170(2) of the Health and Safety Code.

* * * * *

WHEREFORE, THE FOLLOWING ORDER is hereby made:

The physician's and surgeon's certificate No. A-22658, heretofore issued to respondent, Leslie L. Coley, M.D., is hereby revoked; provided, however, said revocation shall be stayed and respondent placed on probation for a period of three (3) years upon the following terms and conditions:

1. Respondent shall comply with all laws of the United States and of the State of California and its political subdivisions, and all rules and regulations of the Board of Medical Examiners of the State of California;

2. Respondent shall present himself to a psychiatrist of his own choosing once each year during the period of probation for the purpose of securing a psychiatric evaluation and he shall provide that said psychiatrist render a report to the Board of

Medical Examiners at its Sacramento office. Said evaluation shall be performed no more than thirty (30) days prior to its due date, and shall set forth respondent's progress in rehabilitation, as well as a statement as to whether respondent can continue to practice medicine with safety to the public. A report shall be due in the Sacramento office of the Board of Medical Examiners on July 1, 1975, July 1, 1976 and July 1, 1977. Upon full compliance with the terms and conditions herein set forth and upon the expiration of the terms of probation, the certificate of respondent to practice medicine and surgery shall be restored to its full privileges; provided, however, that in the event that respondent violates or fails to comply with any of the terms and conditions of this order, the Board of Medical Examiners after notice to respondent and an opportunity to be heard may terminate said probation and revoke said certificate effective immediately or make such other order modifying or changing the terms of probation herein as it deems just and reasonable in its discretion.

This Decision shall become effective on the ____ day of _____, 1974.

DISTRICT REVIEW COMMITTEE IV

By Clarence T. Halberg
CLARENCE T. HALBERG, Chairman

DATED: 11-25-74

MAM:jm

W870 2/26/71

EVELLE J. YOUNGER, Attorney General
JEFFREY T. MILLER,
Deputy Attorney General
1350 Front Street, Room 5006
San Diego, California 92101
Telephone: (714) 236-7762

Attorneys for Complainant

OFFICE OF ADMIN. PROCEDURE	
COMPL. EXHIBIT	1
AGENCY	2000
FILE NO.	D-1508
DATE	11/18/70

BEFORE THE BOARD OF MEDICAL EXAMINERS
DEPARTMENT OF CONSUMER AFFAIRS
OF THE STATE OF CALIFORNIA

In the Matter of the Accusation
Against:

No. D-1508

LESLIE L. COLEY
8749 Lake Murray Boulevard
San Diego, California 92119
Certificate No. A-22658

ACCUSATION

Respondent.

Complainant, Raymond Reid, alleges as follows:

1. At the time of executing and filing the within pleading, the complainant herein was, and now is, the Executive Secretary of the Board of Medical Examiners of the State of California (hereinafter referred to as the "Board"), and performed said acts in his official capacity and not otherwise.

2. Respondent Leslie L. Coley, M.D., was heretofore issued a physicians and surgeons certificate by the Board, and at all times herein mentioned respondent was, and now is, licensed to practice medicine and surgery in the State of California.

3. At all times mentioned hereinafter, sections 2360 and 2361 of the Business and Professions Code authorized, and do authorize, the Board to take action against the holder of a physicians and surgeons certificate who is guilty of unprofessional conduct.

1 4. Between approximately December of 1972, and May,
2 1973, respondent used, prescribed for, and administered to himself,
3 the narcotic cocaine in such a manner as to be dangerous or
4 injurious to himself and to such an extent that it impaired
5 his ability to conduct with safety to the public the practice
6 authorized by his physicians and surgeon's certificate.

7 5. By reason of the matters alleged in paragraph 4
8 hereinabove, respondent is guilty of unprofessional conduct as
9 defined in section 2390 of the Business and Professions Code.

10 6. By reason of the matters alleged in paragraph 4
11 hereinabove, respondent is guilty of unprofessional conduct as
12 defined in section 2391.5 of the Business and Professions Code,
13 in that respondent has violated the following statute of this
14 State regarding narcotics: Health & Safety Code section 11001,
15 in that respondent illegally possessed cocaine, a narcotic.

16 7. On or about March 10, 1973, respondent wrote a
17 prescription for Cocaine solution, 10 percent, in the name of
18 patient Judy C [REDACTED]. Respondent caused said prescription to be
19 filled at the Ferris & Ferris Pharmacy, 522 Market Street, San
20 Diego, California. Said narcotic was in fact intended for
21 respondent's own use rather than for the use of patient Judy
22 C [REDACTED].

23 8. On or about March 10, 1973, respondent wrote a
24 prescription for Cocaine solution, 10 percent, in the name of
25 patient Perrie P [REDACTED]. Respondent caused said prescription to
26 be filled at St. Bernardines Hospital Pharmacy, 2101 N. Waterman
27 San Bernardino, California. Said narcotic was in fact intended
28 for respondent's own use rather than for the use of patient
29 Perrie P [REDACTED].

30 9. On or about April 12, 1973, respondent wrote a
31 prescription for Cocaine solution, 10 percent, in the name of

1 patient Judith C [REDACTED]. Respondent caused said prescription to be
2 filled at Hoag Hospital Pharmacy, Newport Beach, California..
3 Said narcotic was in fact intended for respondent's own use
4 rather than for the use of Judith C [REDACTED].

5 10. By reason of the matters alleged in paragraphs
6 7, 8, and 9 hereinabove, respondent is guilty of unprofessional
7 conduct pursuant to section 2390 of the Business and Professions
8 Code, in that respondent is guilty of using, prescribing for
9 or administering to himself cocaine, a narcotic specified in
10 section 11001 of the Health & Safety Code.

11 11. By reason of the matters alleged in paragraphs
12 7, 8, and 9 hereinabove, respondent is guilty of unprofessional
13 conduct pursuant to sections 2391.5 of the Business and Profes-
14 sions Code and 11165 of the Health & Safety Code, in that
15 respondent has issued a prescription that is false and fictitious
16 in any respect; and pursuant to sections 2391.5 of the Business
17 and Professions Code and 11167 of the Health & Safety Code, in
18 that respondent has prescribed, administered, or furnished a
19 narcotic for himself; and pursuant to section 2391.5 of the
20 Business and Professions Code and section 11170(1) of the Health
21 & Safety Code, in that respondent has obtained or attempted to
22 obtain narcotics by fraud, deceit, or subterfuge, or by the
23 concealment of a material fact; and pursuant to sections 2391.5
24 of the Business and Professions Code and 11170(2) of the Health
25 & Safety Code, in that respondent has made a false statement in
26 a prescription.

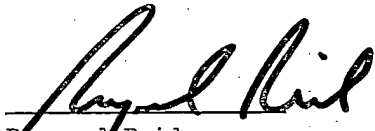
27 WHEREFORE, complainant requests that the Board hold
28 a hearing on the matters alleged herein and following said
29 hearing take such disciplinary action as is provided in section

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31 / / /

1 2372 of the Business and Professions Code, and take such other
2 and further action as may be proper.

3 Dated: 3/21/74

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7 Raymond Reid,
8 Executive Secretary
9 Board of Medical Examiners
10 Complainant
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